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MOTOROLA, INC.
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SCHAUMBURG, IL 60196

EXAMINER
MAPA, MICHAEL Y

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
06/10/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

	Application No.	Applicant(s)
Office Action Summary	10/597,623	BAR ET AL.
	Examiner	**Art Unit**	
	Michael Mapa	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 February 2010</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>20-39</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>20-39</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The applicant has amended the following:

Claims: 20, 27-28 and 30 have been amended.

Claims: 21-26, 29 and 31-39 have not been amended.

Claims: 1-19 have been cancelled.

The applicant's amendment to claims 20, 27-28 and 30 have overcome the claim

objections from the previous office action, therefore the examiner withdraws the claim

objections made from the previous office action.

Response to Arguments

2.   Applicant's arguments with respect to claims 20-39 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 20-33 and 36-39 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Souissi et al. (US Patent Publication 2002/0075941 herein after

referenced as Souissi) in view of TETRA STANDARDS (ETS 300 396-3 herein after

referenced as TETRA) and further in view of Aragones et al. (US Patent Publication

2003/0152055 herein after referenced as Aragones).

        Regarding claim 20, Souissi discloses:

        The applicant claims "A method of radio communication comprising: at a mobile

station: maintaining at least a first communication group set comprising an ordered list

of two or more user groups for the purpose of scanning for radio frequency activity

among at least some of the groups" (Fig. 1 & Paragraphs [0043], [0053], [0084] &

[0090] of Souissi, wherein Souissi discloses a slave terminal 29 being a slave member

of both piconets wherein the piconets are comprised of cellular wireless devices and

maintains at each device a priority table and collision slot table information as well as

the frequency hopping sequences of each piconet and wherein the device regularly

scans or samples at least a subset of the frequency hopping channels in order to find

and synchronize with the existing piconet, therefore maintaining at the mobile station a

group set having an ordered list).

        The applicant claims "each of the user groups communicating by a direct mode

communication on an associated direct mode radio frequency channel for the group, the

direct mode radio frequency channels using different radio frequency carriers; and

conducting a surveillance procedure that includes periodically sampling each of the

direct mode radio frequency channels to determine if there is any radio frequency

activity comprising a direct mode communication amongst each group on the direct

mode radio frequency channel" (Fig. 1 & Paragraphs [0039], [0053], [0084] & [0090] of

Souissi, wherein Souissi discloses the slave terminal 29 being a member of both

piconet 19 and piconet 20 wherein the piconets are adhoc (direct mode) networks using

short range wireless protocol such as Bluetooth or other protocol with comparable

features wherein each slave device in the piconet follows the master's frequency

hopping sequence (different radio frequency carriers) and wherein the Bluetooth device

regularly scans or samples the frequency hopping channels to find and synchronize with

the existing piconet, therefore each of the piconets (user groups) communicating using

the Bluetooth protocol (direct mode) regularly scans/samples each of the frequency

hopping sequence (different radio frequency channels) to determine if there is activity

comprising a direct mode communication on the direct mode radio frequency channel).

Souissi discloses using protocols in the piconets having comparable features and

needs as the Bluetooth protocol (Paragraph [0039] of Souissi). However, Souissi fails

to explicitly recite "the user groups communicating by a European Telecommunications

Standard Institute (ETSI) direct mode communication."

In a related field of endeavor, TETRA discloses:

The applicant claims "the user groups communicating by a European

Telecommunications Standard Institute (ETSI) direct mode communication" (TETRA

STANDARDS 4.1 (Page 16), wherein TETRA discloses the TETRA DMO (Direct Mode

Operation) protocol offering the possibility of direct communication between MS (mobile stations) without the need of an intervening base station).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Souissi to incorporate the teachings of TETRA for the purpose of improving the system by conforming to a known standard protocol for short range wireless associations.

Souissi in view of TETRA fails to disclose "determining whether to switch to a different direct mode radio frequency channel through selection by a user of the mobile station when radio frequency activity on the different direct mode radio frequency channel is determined independent of the relative priorities of the direct mode communications."

In a related field of endeavor, Aragones discloses:

The applicant claims "determining whether to switch to a different direct mode radio frequency channel through selection by a user of the mobile station when radio frequency activity on the different direct mode radio frequency channel is determined independent of the relative priorities of the direct mode communications" (Fig. 1 & Paragraph [0041] of Aragones, wherein Aragones discloses prompting the user for the selection of which piconets to join, therefore by prompting the user for a manual selection it is determined independent of the relative priorities of the piconets (direct mode communication)).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Souissi in view of TETRA to incorporate the teachings of Aragones of

having the capability to prompt the user to which piconet to join and choose as giving

priority for the purpose of improving the system by making the system more versatile

and flexible to the user's needs by providing the user with the capability to switch and

select to a different piconet regardless if the selected piconet has a lower priority than

the other one and in addition increases the user satisfaction of being able to have

manual control of the system and being able to select a desired piconet regardless of

the priority.

Regarding claim 21, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method according to claim 20 wherein each of the

direct mode radio frequency channels is sampled to detect a presence signal indicating

presence of a particular group associated with the direct mode channel on the direct

mode channel" (Paragraph [0039] of Souissi & TETRA STANDARDS 8.4.2.2.1 (Page

77)).

Regarding claim 22, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method according to claim 20 wherein samples of at

least some consecutive group radio frequency channels whose state is free or unknown

are conducted in a single frame" (Fig. 1, TETRA STANDARDS 4.3.2 (Page 18) &

8.4.2.1 (Page 76), wherein TETRA discloses a frame with "OCC" denoting occupation of

slot 3, and a channel free definition wherein no activity is detected other than possible

receipt of presence signals indicating channel is free). The examiner maintains and

takes official notice that it is commonly known in the art to use multiplexing for the

purpose of sharing an expensive resource as is evident as a reference only in Shridhar

et al. (US Patent 7406042 herein after referenced as Shridhar, wherein Shridhar

discloses multiple channels within a single frame (Column 5, Lines 54-56 of Shridhar).

Regarding claim 23, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method according to claim 20 wherein if there is

currently no group activity on any of the surveyed channels, then a first master mobile

station initiating a call or service to start on any of the groups determines a physical and

logical time division pattern for all surveyed channels" (Paragraphs [0045] & [0042] of

Souissi & TETRA STANDARD 4.3.2 (Page 18), wherein TETRA discloses the calling

DM-MS may linearize its transmitter then establishes the channel synchronization and

its role as master by transmitting synchronization bursts).

Regarding claim 24, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method according to claim 23 wherein all mobile

stations other than the first master mobile station detecting the first call or service

synchronise to the time division pattern, adopting the same frame and slot numbering

as the first master mobile station" (Paragraph [0042] of Souissi & TETRA STANDARDS

4.3.2 (Page 18) & 4.3.4 (Page 20), wherein TETRA discloses the process of

synchronizing with the master wherein the timing state of the channel, including the

frame and slot numbers is determined).

Regarding claim 25, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 24 wherein each master mobile station making a direct mode call transmits a presence signal in a specific time slot of the time division pattern to indicate the group to which that direct mode call relates" (Paragraph [0042] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21), wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the successful pre-emptor now transmits synchronization bursts for what is in effect a new call with a new group and becomes master for the initial transaction of the new call).

Regarding claim 26, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method of direct mode radio communication according to claim 25 wherein the specific time slot in which a particular master mobile station transmits the associated presence signal is related to a position within the ordered list of the group that the particular master mobile station is communicating with" (Paragraphs [0085]-[0086] & [0090] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21), wherein Souissi discloses mapping the collisions of the two piconets and using the priority of the corresponding piconets during the collision to give preference to the higher priority piconet and wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the

successful pre-emptor now transmits synchronization bursts for what is in effect a new

call with a new group and becomes master for the initial transaction of the new call).

Regarding claim 27, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method of direct mode radio communication according

to claim 26 wherein the specific time slot in which the particular master mobile station

transmits is within a TErrestrial Trunked RAdio (TETRA) request bit map associated

frame related to the position within the ordered list of the group that the particular

master, mobile station is communicating with" (Paragraph [0090] of Souissi & TETRA

STANDARDS 9.6.13 & Fig. 1 of 4.3.2, wherein Souissi discloses having priority tables

for the devices and piconets and wherein TETRA discloses the request bitmap to be

timeslot 3 of frames 1, 4, 7, 9, 10… and is therefore associated with the timeslots for

communication).

Regarding claim 28, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method of direct mode radio communication according

to claim 26 wherein the particular master mobile station signals all call or service

recipients that the TErrestrial Trunked RAdio (TETRA) request bit map associated time

slots are not available for random access requests" (Paragraph [0042] of Souissi &

TETRA STANDARDS 8.4.7.9 (Page 92), wherein TETRA discloses the master MS

dictate which frames may be used for random access messages, therefore the frames

not dictated are not available for random access requests).

Regarding claim 29, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method of direct mode radio communication according to claim 26 Wherein any slave or idle mobile station surveys a specific time slot on a relevant channel to determine if there is any radio frequency activity, the specific time slot channel being related to the position within the ordered list of the group that the slave or idle mobile station is currently surveying" (Paragraphs [0053], [0084]-[0086] & [0090] of Souissi & TETRA STANDARDS 8.4.2.2.2, wherein Souissi discloses regularly scanning/sampling the frequency hopping channels and having a priority table for the devices and piconets so that the higher priority piconet is given preference when the piconets coincide on the same timeslot and wherein TETRA discloses any DM-MS in idle mode shall periodically conduct further channel surveillance in order to detect any DSBs present on the DM radio frequency carrier).

Regarding claim 30, Souissi discloses:

The applicant claims "A mobile station comprising: storage means storing at least a first direct mode group set comprising an ordered list of two or more user groups together with their respective associated direct mode radio frequency channels, for the purpose of scanning for alternative direct mode radio frequency activity among at least some of the groups" (Fig. 1 & Paragraphs [0043], [0053], [0084] & [0090] of Souissi, wherein Souissi discloses a slave terminal 29 being a slave member of both piconets wherein the piconets are comprised of cellular wireless devices and maintains at each device a priority table and collision slot table information as well as the frequency

hopping sequences of each piconet and wherein the device regularly scans or samples

at least a subset of the frequency hopping channels in order to find and synchronize

with the existing piconet, therefore having a storage means for maintaining at the mobile

station a group set having an ordered list).

The applicant claims "the direct mode radio frequency channels using different

radio frequency carriers; wherein the mobile station is operable, for those groups in the

ordered list whose radio frequency channel state is free or unknown, to conduct a

channel surveillance procedure wherein each of the direct mode radio frequency

channels associated with the groups of the ordered list is sampled periodically to

determine if there is any radio frequency activity comprising a direct mode

communication" (Fig. 1 & Paragraphs [0039], [0053], [0084] & [0090] of Souissi, wherein

Souissi discloses the slave terminal 29 being a member of both piconet 19 and piconet

20 wherein the piconets are adhoc (direct mode) networks using short range wireless

protocol such as Bluetooth or other protocol with comparable features wherein each

slave device in the piconet follows the master's frequency hopping sequence (different

radio frequency carriers) and wherein the Bluetooth device regularly scans or samples

the frequency hopping channels to find and synchronize with the existing piconet,

therefore each of the piconets (user groups) communicating using the Bluetooth

protocol (direct mode) regularly scans/samples each of the frequency hopping

sequence (different radio frequency channels) to determine if there is activity comprising

a direct mode communication on the direct mode radio frequency channel).

Souissi discloses using protocols in the piconets having comparable features and

needs as the Bluetooth protocol (Paragraph [0039] of Souissi). However, Souissi fails

to explicitly recite "for those groups in the ordered list whose radio frequency channel

state is free or unknown" and "a European Telecommunications Standard Institute

(ETSI) direct mode communication."

In a related field of endeavor, TETRA discloses:

The applicant claims "for those groups in the ordered list whose radio frequency

channel state is free or unknown" (Fig. 1, TETRA STANDARDS 4.3.2 (Page 18) &

8.4.2.1 (Page 76), wherein TETRA discloses a frame with "OCC" denoting occupation of

slot 3, and a channel free definition wherein no activity is detected other than possible

receipt of presence signals indicating channel is free).

The applicant claims "a European Telecommunications Standard Institute (ETSI)

direct mode communication" (TETRA STANDARDS 4.1 (Page 16), wherein TETRA

discloses the TETRA DMO (Direct Mode Operation) protocol offering the possibility of

direct communication between MS (mobile stations) without the need of an intervening

base station).

Therefore, it would have been obvious to one of ordinary skill in the art to modify

the invention of Souissi to incorporate the teachings of TETRA for the purpose of

improving the system by conforming to a known standard protocol for short range

wireless associations.

Souissi in view of TETRA fails to disclose "and to switch to a different direct

mode radio frequency channel through selection by a user of the mobile station when

radio frequency activity on the different direct mode radio frequency channel is

determined independent of the relative priorities of the direct mode communications."

In a related field of endeavor, Aragones discloses:

The applicant claims "and to switch to a different direct mode radio frequency

channel through selection by a user of the mobile station when radio frequency activity

on the different direct mode radio frequency channel is determined independent of the

relative priorities of the direct mode communications" (Fig. 1 & Paragraph [0041] of

Aragones, wherein Aragones discloses prompting the user for the selection of which

piconets to join, therefore by prompting the user for a manual selection it is determined

independent of the relative priorities of the piconets (direct mode communication)).

Therefore, it would have been obvious to one of ordinary skill in the art to modify

the invention of Souissi in view of TETRA to incorporate the teachings of Aragones of

having the capability to prompt the user to which piconet to join and choose as giving

priority for the purpose of improving the system by making the system more versatile

and flexible to the user's needs by providing the user with the capability to switch and

select to a different piconet regardless if the selected piconet has a lower priority than

the other one and in addition increases the user satisfaction of being able to have

manual control of the system and being able to select a desired piconet regardless of

the priority.

Regarding claim 31, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method of direct mode radio communication according to claim 20 wherein the surveillance procedure is performed independent of whether the mobile station is in an idle state or whether the mobile station is participating as a listener in a direct mode communication" (Paragraph [0039] of Souissi & TETRA STANDARDS 8.4.2.2.1 (Page 77)).

Regarding claim 32, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method of direct mode radio communication according to claim 20 further comprising permitting the mobile station to join a call from any group for which direct mode communication was detected by the surveillance procedure as a listener or to initiate a call to members of the detected group" (Paragraph [0082] of Souissi & Paragraph [0041] of Aragones).

Regarding claim 33, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 21 wherein when the mobile station is active in a call or service, the mobile station samples one of the direct mode radio frequency channels to detect the presence signal during each currently unassigned time slot" (Paragraph [0053] of Souissi & TETRA STANDARDS 8.4.2.2.1 (Page 77) & 8.5.7.2.2 (Page 109), wherein TETRA discloses the master monitoring the time slots looking for pre-emption, timing change or changeover requests).

Regarding claim 36, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 33 wherein the mobile station only listens to direct mode radio frequency channels of groups to which the mobile station is entitled to join" (Paragraphs [0039], [0042], [0053] & [0084] of Souissi, wherein Souissi discloses synchronizing with the master using the hopping sequences provided by the master).

Regarding claim 37, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 20 wherein each slave and idle mobile station listens to a different direct mode radio frequency channel during a time slot assigned to that direct mode radio frequency channel for a presence signal indicating activity in a group associated with that direct mode radio frequency channel, the time slots being different for each direct mode radio frequency channel" (Paragraphs [0039], [0042], [0053] & [0084] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21), wherein Souissi discloses each piconet having a master defining the frequency hopping sequence to be used by all devices in the piconet and wherein the devices anticipate a collision timeslot wherein the higher priority piconet is made likely to prevail during the collision and wherein TETRA discloses another group wishing to access the DM channel for a priority reason such as an emergency, therefore different time slots for different channels).

Regarding claim 38, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 20 wherein a master mobile station, having initiated a call, listens to a different direct mode radio frequency channel during a time slot assigned to that direct mode radio frequency channel for a presence signal indicating activity in a group associated with that direct mode radio frequency channel, the time slots being different for each direct mode radio frequency channel" (Fig.1 & Paragraphs [0039], [0042], [0053], [0055] & [0084] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21)).

Regarding claim 39, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 20 wherein a master mobile station, having initiated a call, listens to the same direct mode radio frequency channel during different time slots for a presence signal indicating activity in a particular group, each group associated with a unique time slot" (Fig. 1 & Paragraphs [0039], [0042], [0053], [0055] & [0084] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21)).

5.   Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi et al. (US Patent Publication 2002/0075941 herein after referenced as Souissi) in view of TETRA STANDARDS (ETS 300 396-3 herein after referenced as TETRA) in view of Aragones et al. (US Patent Publication 2003/0152055 herein after referenced as Aragones) and further in view of Iwamura (US Patent Publication 2004/0184406 herein after referenced as Iwamura).

Regarding claim 34, Souissi in view of TETRA and further in view of Aragones discloses:

The applicant claims "The method according to claim 33 wherein the time slot in which each presence signal is transmitted is dependent on a position within the ordered list of the groups" (Paragraphs [0085]-[0086] & [0090] of Souissi & TETRA STANDARDS 4.3.4 (Pages 20-21), wherein Souissi discloses mapping the collisions of the two piconets and using the priority of the corresponding piconets during the collision to give preference to the higher priority piconet and wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the successful pre-emptor now transmits synchronization bursts for what is in effect a new call with a new group and becomes master for the initial transaction of the new call).

Souissi in view of TETRA and further in view of Aragones fails to explicitly recite "a unique mapping existing between the time slot and the position within the ordered list of groups."

In a related field of endeavor, Iwamura discloses:

The applicant claims "a unique mapping existing between the time slot and the position within the ordered list of groups" (Paragraph [0020] of Iwamura, wherein Iwamura discloses a larger number of time slots to be granted to higher priority groups, therefore a unique mapping exist between the time slot and the position/priority within the group).

Therefore it would have been obvious to one of ordinary skill in the art to modify

the invention of Souissi in view of TETRA and further in view of Aragones to incorporate

the teachings of Iwamura for the purpose of improving system performance by having

an adaptive bandwidth management that gives preference to a higher priority

connection.

Regarding claim 35, Souissi in view of TETRA and further in view of Aragones

discloses:

The applicant claims "The method according to claim 33" (see claim 33).

Souissi in view of TETRA and further in view of Aragones fails to disclose "when

if the number of groups exceeds the number of currently unassigned time slots, the

mobile station samples one of the direct mode radio frequency channels to detect the

presence signal during a time slot normally reserved for slave or idle but occupied

mobile stations."

In a related field of endeavor, Iwamura discloses:

The applicant claims "when if the number of groups exceeds the number of

currently unassigned time slots, the mobile station samples one of the direct mode radio

frequency channels to detect the presence signal during a time slot normally reserved

for slave or idle but occupied mobile stations" (Paragraph [0128] of Iwamura, wherein

Iwamura discloses the master reassigning time slots based on priority to accommodate

the new transmission when not enough slots are available).

Therefore it would have been obvious to one of ordinary skill in the art to modify

the invention of Souissi in view of TETRA and further in view of Aragones to incorporate

the teachings of Iwamura for the purpose of improving system performance by having

an adaptive bandwidth management that gives preference to a higher priority

connection.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael Mapa whose telephone number is (571)270-

5540. The examiner can normally be reached on MONDAY TO THURSDAY 8:00AM -

5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Mapa/   /Dwayne D. Bost/
Examiner, Art Unit 2617   Supervisory Patent Examiner,
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